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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,038	03/16/2001	Aline Fichou	FR919990055US1	5687

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BRACEWELL & PATTERSON LLP
INTELLECTUAL PROPERTY LAW
P O BOX 969
AUSTIN, TX 78767-0969

EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/811,038

Applicant(s)

FICHOU ET AL.

Examiner

Douglas B Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DBB

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: on page 10, line 6 the phrase “ability handle” should read “ability to handle”.

Appropriate correction is required.

Claim Objections

2. Claim 1 is objected to because of the following informalities: in line 3 “an” should be “a” and in line 4 “os” should be “of”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,694,429 to Kalmanek, Jr. et al..
5. As to claim 1, Kalmanek teaches a system for reserving a virtual connection from a source workstation to a destination workstation wherein packets of data are transmitted over a network between an ingress node of said source workstation and an egress node of said destination workstation, said system comprising: a reservation server accessible by said source

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workstation including connection setup means for setting up a virtual connection meeting a predefined quality of service requirement from said ingress node to said egress node in response to a request from said source workstation (col. 5, lines 14-34 and col. 6, line 47-62).

6. As to claim 2, Kalmanek teaches the system according to claim 1, wherein said reservation server includes a user database for storing the identification of each user allowed to access said reservation server (col. 10, lines 19-32).

7. As to claim 3, Kalmanek teaches the system according to claim 2, wherein said user database further stores the rights of each user allowed to access said reservation server (col. 10, lines 19-32).

8. As to claim 4, Kalmanek teaches the system according to claim 1, wherein said reservation server further includes a network database for storing the information describing a network capacity required to set up said virtual connection (col. 10, line 47-col. 11, line 2).

9. As to claim 5, Kalmanek teaches the system according to claim 1, wherein said source workstation includes a user FlowID database for storing at least one FlowID, wherein said at least one FlowID identifies at least one flow transmitted from said source workstation (col. 28, lines 4-22).

10. As to claim 6, Kalmanek teaches a system according to claim 1, wherein said ingress node includes an edge FlowID database for storing at least one FlowID for flows that have been reserved by said reservation server (col. 44, line 50-col. 45, line 60).

11. As to claim 7, Kalmanek teaches a system according to claim 1, wherein said ingress node includes a port forwarding database for sorting information required by said ingress node

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when receiving a first packet of a flow that has been reserved by said reservation server (col. 44, line 50-col. 45, line 60).

12. As to claim 8, Kalmanek teaches a system for reserving a virtual connection from a source workstation to a destination workstation wherein packets of data are transmitted over a network between an ingress node of said source workstation and an egress node of said destination workstation, said method: sending a reservation request from said source workstation to a reservation server (col. 6, lines 47-62); verifying that said request may be validated in view of user information within said source workstation, wherein said user information is accessible by said reservation server (col. 9, lines 18-34); verifying that the capacity of said network is sufficient to meet the requirements of said reservation request (col. 10, line 47-col. 11, line 2); and in response to the capacity of said network being sufficient to meet the requirements of said reservation request, establishing a virtual connection from said ingress node to said egress node (col. 8, line 59-col. 9, line 17).

13. As to claim 9, Kalmanek teaches a method according to claim 8, wherein said step of verifying that said request may be validated further comprises: verifying the authentication of said user (col. 10, lines 19-32); and verifying the user rights to obtain said virtual connection (col. 10, lines 19-32).

14. As to claim 10, Kalmanek teaches a method according to claim 8, further comprising in response to insufficient capacity of said IP network with respect to a previous reservation request, delivering a new reservation request from said source workstation to said reservation server, wherein said new reservation request includes new parameters that are set in accordance

with the capacity of said network as reported from said reservation server to said source workstation (col. 10, lines 47-col 11, line 13).

15. As to claim 11, Kalmanek teaches a method according to claim 8, further comprising delivering from said reservation server to said ingress and egress nodes, information required to set up a virtual connection from said ingress node to said egress node and a flow identification of the communication to be established such that said ingress node may transmit any packet received from said source workstation over said connection (col. 9, line 34-col. 10, line 18).

16. As to claim 12, Kalmanek teaches a method according to claim 11, wherein the information sent by said reservation server to said ingress and egress nodes to set up a virtual connection includes a FlowID identifying the flow corresponding to the communication to be established over said virtual connection (col. 9, line 34-col. 10, line 18).

17. As to claim 13, Kalmanek teaches a method according to claim 12, further comprising comparing a FlowID of a new packet received by said ingress node with at least one FlowID corresponding to at least one reserved virtual connection that has been established from said reservation server to said ingress node (col. 28, lines 4-22).

18. As to claim 14, Kalmanek teaches the method according to claim 12, further comprising delivering a RouteID from said reservation server to said ingress and egress nodes, wherein said RouteID identifies a route already known by said nodes (col. 28, lines 4-22).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,694,429 to Kalmanek, Jr. et al. in view of U.S. Patent Number 6,768,738 to Yazaki et al..

21. As to claim 15, Kalmanek teaches the method according to claim 11, however Kalmanek does not explicitly teach a packet including a source address, a destination address, a port number, and a QOS identifier.

Yazaki teaches a packet including a source address, a destination address, a port number, and a QOS identifier (col. 2, lines 51-67).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Kalmanek regarding the establishment of a virtual connection with the teachings of Yazaki regarding a packet including a source address, a destination address, a port number, and a QOS identifier because such information would help a router perform QOS controls (Yazaki, col. 2, lines 51-67).

Conclusion

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

DBB


ZARNI MAUNG
PRIMARY EXAMINER